

IN THE HIGH COURT OF JUDICATURE AT PATNA**Criminal Appeal (SJ) No.1118 of 2016**

Arising Out of PS.Case No. -64 Year- 2016 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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1. Dhiraj Kumar, son of Subhash Mahto, resident of Village- Kumbhi, P.S.-
Cheria Bariarpur, District- Begusarai.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Sada Nand Roy, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPL.PP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 04-02-2017 Heard learned counsel for the appellant as well as
learned Special PP for the State.

As per Fard-e-beyan of Ahilya Devi, her father-in-law was murdered by unknown criminals at the instance of Mukesh Kumar a renowned criminal who, at that very moment, was behind the bar but, had insisted upon to pay Rangdaari at an earlier occasion. During course of investigation, it is evident that the Investigating Officer had examined one Bhola Mahto (Para-7) who had stated that while he was returning after thrashing at about 12:50 AM, he found three motorcycles being parked near Shiv Mandir where 7-8 persons were present out of whom he identified Gopal Mahto of Village-Kumbhi and Dhiraj Kumar. Then thereafter, it has also been disclosed that after 15-20 minutes, murder of deceased Rameshwar Paswan was committed. The other



statements are found corroborating in nature of that very score followed with inculpatory extra-judicial confessional statement of the appellant as well as one Amresh Mahto. As per para-3 of the petition, it is evident that appellant has got criminal antecedent which is found corroborated with para-44 of the case diary.

Apart from this, appellant happens to be under custody since 20.04.2016.

In the aforesaid facts and circumstances of the case, appellant Dhiraj Kumar is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge, SC/ST, Begusarai in Cheriabariarpur PS Case No. 64/2016 after having order dated 23.06.2016 passed by Special Judge, SC/ST-Begusarai set aside.

Accordingly, appeal is allowed.

(Aditya Kumar Trivedi, J)

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